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8
9 **BEFORE THE**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 800-2016-025018

14 GEORGE ERIC ALEXANDER, M.D.

15 368 Palos Verdes Drive West
Palos Verdes Estates, CA 90274

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 Physician's and Surgeon's Certificate A 44796,
17 Respondent.
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21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
25 of California (Board). She brought this action solely in her official capacity and is represented in
26 this matter by Xavier Becerra, Attorney General of the State of California, by Trina L. Saunders,
27 Deputy Attorney General.
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2. George Eric Alexander, M.D. (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about May 9, 1988, the Board issued Physician's and Surgeon's Certificate No. A 44796 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2016-025018 and will expire on April 30, 2020, unless renewed.

JURISDICTION

4. Accusation No. 800-2016-025018 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on February 20, 2019. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2016-025018 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2016-025018. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2016-025018, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

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ORDER

IT IS HEREBY ORDERED THAT Physician's and Surgeon's Certificate No. A 44796, issued to Respondent George Eric Alexander, M.D., is surrendered and accepted by the Board.

1. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order. This stipulation constitutes a record of discipline and shall become a part of Respondent's license history with the Medical Board of California.

2. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

3. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2016-025018 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 03/25/2019



GEORGE ERIC ALEXANDER, M.D.
Respondent

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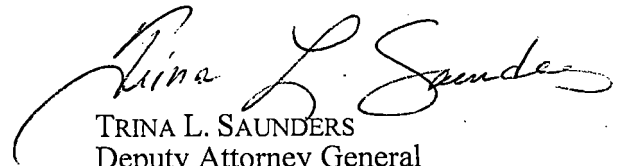
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: *April 3, 2019*

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General


TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2016-025018

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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
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In the Matter of the Accusation Against:

Case No. 800-2016-025018

GEORGE ERIC ALEXANDER, M.D.

A C C U S A T I O N

368 Palos Verdes Drive West
Palos Verdes Estates, CA 90274

Physician's and Surgeon's Certificate A 44796,
Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California (Board).
2. On May 9, 1988, the Board issued Physician's and Surgeon's Certificate Number A 44796 to George Eric Alexander, M.D. (Respondent). That license was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2020, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

1 4. Section 2227 of the Code states:

2 “(a) A licensee whose matter has been heard by an administrative law judge of the Medical
3 Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default
4 has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary
5 action with the board, may, in accordance with the provisions of this chapter:

6 “(1) Have his or her license revoked upon order of the board.

7 “(2) Have his or her right to practice suspended for a period not to exceed one year upon
8 order of the board.

9 “(3) Be placed on probation and be required to pay the costs of probation monitoring upon
10 order of the board.

11 “(4) Be publicly reprimanded by the board. The public reprimand may include a
12 requirement that the licensee complete relevant educational courses approved by the board.

13 “(5) Have any other action taken in relation to discipline as part of an order of probation, as
14 the board or an administrative law judge may deem proper.

15 “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
16 review or advisory conferences, professional competency examinations, continuing education
17 activities, and cost reimbursement associated therewith that are agreed to with the board and
18 successfully completed by the licensee, or other matters made confidential or privileged by
19 existing law, is deemed public, and shall be made available to the public by the board pursuant to
20 Section 803.1.”

21 5. Section 2234 of the Code, states:

22 “The board shall take action against any licensee who is charged with unprofessional
23 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
24 limited to, the following:

25 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
26 violation of, or conspiring to violate any provision of this chapter.

27 “(b) Gross negligence.

1 “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
2 omissions. An initial negligent act or omission followed by a separate and distinct departure from
3 the applicable standard of care shall constitute repeated negligent acts.

4 “(1) An initial negligent diagnosis followed by an act or omission medically appropriate for
5 that negligent diagnosis of the patient shall constitute a single negligent act.

6 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
7 constitutes the negligent act described in paragraph (1), including, but not limited to, a
8 reevaluation of the diagnosis or a change in treatment, and the licensee’s conduct departs from the
9 applicable standard of care, each departure constitutes a separate and distinct breach of the
10 standard of care.

11 “(d) Incompetence.

12 “(e) The commission of any act involving dishonesty or corruption which is substantially
13 related to the qualifications, functions, or duties of a physician and surgeon.

14 “(f) Any action or conduct which would have warranted the denial of a certificate.

15 “(g) The practice of medicine from this state into another state or country without meeting
16 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
17 apply to this subdivision. This subdivision shall become operative upon the implementation of the
18 proposed registration program described in Section 2052.5.

19 “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
20 participate in an interview by the board. This subdivision shall only apply to a certificate holder
21 who is the subject of an investigation by the board.”

22 6. Section 2236 of the Code states:

23 “(a) The conviction of any offense substantially related to the qualifications,
24 functions, or duties of a physician and surgeon constitutes unprofessional conduct within the
25 meaning of this chapter. The record of conviction shall be conclusive evidence only of the fact
26 that the conviction occurred.

27 “(b) The district attorney, city attorney, or other prosecuting agency shall notify the
28 Division of Medical Quality of the pendency of an action against a licensee charging a felony or

1 misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice
2 shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting
3 agency shall also notify the clerk of the court in which the action is pending that the defendant is
4 a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a
5 physician and surgeon.

6 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours
7 after the conviction, transmit a certified copy of the record of conviction to the board. The
8 division may inquire into the circumstances surrounding the commission of a crime in order to fix
9 the degree of discipline or to determine if the conviction is of an offense substantially related to
10 the qualifications, functions, or duties of a physician and surgeon.

11 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
12 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
13 shall be conclusive evidence of the fact that the conviction occurred.”

14 7. Section 820 of the Code states:

15 “Whenever it appears that any person holding a license, certificate or permit under this division or
16 under any initiative act referred to in this division may be unable to practice his or her profession
17 safely because the licentiate’s ability to practice is impaired due to mental illness, or physical
18 illness affecting competency, the licensing agency may order the licentiate to be examined by one
19 or more physicians and surgeons or psychologists designated by the agency. The report of the
20 examiners shall be made available to the licentiate and may be received as direct evidence in
21 proceedings conducted pursuant to Section 822.”

22 8. Section 822 of the Code states:

23 “If a licensing agency determines that its licentiate’s ability to practice his or her
24 profession safely is impaired because the licentiate is mentally ill, or physically ill affecting
25 competency, the licensing agency may take action by any one of the following methods:

26 “(a) Revoking the licentiate’s certificate or license.

27 “(b) Suspending the licentiate’s right to practice.

28 “(c) Placing the licentiate on probation.

1 “(d) Taking such other action in relation to the licentiate as the licensing agency in its
2 discretion deems proper.

3 “The licensing section shall not reinstate a revoked or suspended certificate or license until
4 it has received competent evidence of the absence or control of the condition which caused its
5 action and until it is satisfied that with due regard for the public health and safety the person’s
6 right to practice his or her profession may be safely reinstated.”

7 FIRST CAUSE FOR DISCIPLINE

8 (Unfitness to Practice)

9 9. Respondent is subject to disciplinary action under section 822 of the Code in that his
10 ability to practice medicine is impaired due to mental illness. The circumstances are as follows:

11 10. On October 3, 2016, Health Quality Investigation Unit (HQIU) Investigators, who
12 were conducting an investigation into the practices of Respondent, on behalf of the Medical
13 Board, attempted to contact Respondent at his office. No one answered the door. The office
14 appeared disheveled and partly cleared out. A tenant in the building told investigators that
15 Respondent retired and no longer came to the office.

16 11. The investigators contacted building management, who indicated that they were
17 unaware of Respondent retiring and that he still had a lease with them.

18 12. HQIU investigators obtained Respondent’s home address. They then contacted the
19 Palos Verdes Estates Police Department (PVEPD), and requested calls for service to
20 Respondent’s home address. They received five incident reports. The latest report was related to
21 an August 4, 2016, incident. The officer indicated that he was concerned that Respondent was
22 gravely disabled (physically) and a danger to himself.

23 13. On or about February 3, 2017, HQIU investigators again attempted to contact
24 Respondent at his business address. No one was at the office. The door was locked. There was
25 mail on the floor, which appeared to have been there months/years. A receptionist for another
26 suite in the building indicated that she had been working at the location for 1 ½ years and had not
27 seen any patients go into Respondent’s suite.

1 14. The Medical Board investigation revealed that Respondent, an anesthesiologist and
2 internal medicine doctor, had neck surgery in 2016 and had not worked at the out patient surgical
3 center where he previously worked since the time of the surgery. The witness had been present
4 during the aforementioned August 4, 2016 incident and indicated that following surgery
5 Respondent's spinal cord was left exposed and it had become infected. He indicated that he saw
6 Respondent in January of 2017, and he looked much better.

7 15. A subject interview was scheduled with Respondent. Respondent's counsel requested
8 that the interview take place near Respondent's home, instead of at the HQIU office because
9 Respondent was not driving due to his medical condition.

10 16. On April 24, 2017, an HQIU investigator contacted Respondent's counsel to set up a
11 time to interview Respondent.

12 17. On May 2, 2017, Respondent's counsel advised the HQIU investigator that
13 Respondent was seeking to surrender his license or obtain disability status of his license.
14 Subsequently, Respondent submitted a signed voluntary agreement for mental and physical
15 examination.

16 18. On June 7, 2017, Respondent was interviewed by an HQIU investigator as part of the
17 Board's investigation into his practices and his fitness to practice medicine. Respondent was able
18 to walk up stairs and appeared to be able to perform day-to-day functions independently, which
19 tended to dispel the notion that he had physical impairments affecting his ability to practice
20 medicine. However, during the interview, Respondent revealed that he had been arrested
21 multiple times and had been placed on psychiatric holds pursuant to arrest. He was arrested for
22 offenses such as shoplifting, an incident involving a motor vehicle accident, and driving
23 erratically. The details he provided at the interview about the circumstances of his arrests, the
24 resulting psychiatric holds and his mental health history led the medical consultant, who was
25 conducting the interview, to believe that Respondent should undergo a mental evaluation to
26 determine if he could safely practice medicine.

27 19. On October 2, 2017, the independent medical examiner who had been retained to
28 conduct the examination contacted the HQIU investigator. The doctor advised that Respondent

1 had contacted him stating that he was, "locked up again and won't be able to make an
2 appointment to see me [the doctor] until he's released/discharged and indicated that his counsel
3 who represented him at the time of his Medical Board interview was no longer his attorney.

4 20. On October 27, 2017, Respondent's counsel advised that he was unaware of being
5 relieved from his duties as Respondent's counsel.

6 21. On November 13, 2017, the HQUI investigator received a telephone call from
7 Respondent. The Respondent indicated that he had been transported to Torrance Memorial
8 Hospital on October 4, 2017, due to "driving erratically." He was thereafter admitted to
9 Gateways Mental Health Hospital, through November 2, 2017. He revealed his mental health
10 diagnosis to the investigator as well as other information about his treatment.

11 22. On February 12, 2018, Respondent presented for his mental status examination with
12 the independent medical examiner who was retained by the Medical Board of California.

13 23. On March 13, 2018, the HQUI investigator received a report from the independent
14 medical examiner. Following review of Respondent's mental health records, police reports
15 related to his arrests and a face-to-face evaluation of Respondent, he opined that Respondent had
16 a mental illness that impacts his ability to safely engage in the practice of medicine. He also
17 opined that Respondent is unable to safely practice medicine as a result of his mental illness and
18 that Respondent's practice of medicine would pose a present danger or threat to public health.
19 Respondent's mental illness requires monitoring, treatment, and oversight in order to practice
20 medicine safely.

21 SECOND CAUSE FOR DISCIPLINE

22 (Conviction of a Crime)

23 24. Respondent is subject to disciplinary action under section 2236 of the Code in that he
24 was convicted of a crime substantially related to the qualifications, functions or duties of a
25 physician. The circumstances are as follows:

26 25. Respondent is subject to disciplinary action under section 2234, subdivision (f). The
27 circumstances are as follows:
28

26. On July 9, 2018, the Board received notification that Respondent had been convicted of Penal Code section 148.1(c), for making a false bomb threat, a misdemeanor. The circumstances are as follows:

27. On May 22, 2018, in a criminal proceeding entitled *People of the State of California v. George Alexander*, Los Angeles Superior Court Case Number 8TR02826, Respondent was charged with one count of making a false bomb threat, in violation of Penal Code section 148.1(c), a misdemeanor. The facts underlying the case are as follows:

On September 26, 2017, officers of the Redondo Beach Police Department were dispatched to a location which received a bomb threat that had been left on an answering service. It was reported that Respondent made two calls to the answering service at the location and left messages to the effect of, "I'm going to blow the place up if someone with property management does not call me back in twenty minutes." Based on this threat, the businesses in the immediate area were evacuated by police. The building where the threat was received was swept for explosives by an officer and his canine partner.

At the time, another officer was on the phone with Respondent. The Redondo Beach Police Department was able to determine Respondent's location in Palos Verdes Estates.

The Palos Verdes Police Department went to Respondent's location to conduct a welfare check. Responding officers determined that Respondent was unable to physically move or plant any type of bomb based on his medical condition. Respondent was unable to walk or drive to the location to where the threat was made.

28. On June 28, 2018, Respondent pled nolo contendere and was convicted. Respondent was placed on a 36-month probation, he was ordered to pay fines, pay restitution, and enroll in and complete two sessions of psychological counseling two times per month for a year.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

29. By reason of the facts set forth in paragraphs 23-26 above, Respondent's license is subject to disciplinary action under Section 2234, subdivision (a) of the Code.

1 **PRAYER**

2 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Medical Board of California issue a decision:

4 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 44796,
5 issued to George Eric Alexander, M.D.;

6 2. Revoking, suspending or denying approval of his authority to supervise physician
7 assistants and advanced practice nurses;

8 3. If placed on probation, ordering him to pay the Board the costs of probation
9 monitoring; and

10 4. Taking such other and further action as deemed necessary and proper.

11 DATED:
12 February 20, 2019


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

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